STITES & HARBISON PLLC



Bethany A. Breetz

Title: Member

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Ms. Breetz's practice focuses on both federal and state appellate advocacy, complex commercial litigation, including financial institution, real estate, and trust and estate litigation. She currently serves as co-chair of the firm's Appellate Advocacy group.

CAPABILITIES

Practice Areas

- Litigation & Appeals
- Arbitration, Mediation & Alternative Dispute Resolution
- Appellate Advocacy
- Business Litigation
- Financial Services Litigation
- Government & Regulatory Litigation
- Media / First Amendment Law
- Real Estate & Land Use Litigation
- Aviation

RECENT ASSIGNMENTS

- Represented the Kentucky Association of Highway Contractors in a high-profile appeal resulting in the reversal of a $22.5 million judgment against a highway contractor, and a

published Kentucky Court of Appeals opinion reaffirming critical protections for contractors under Kentucky's Workers' Compensation Act and anti-indemnity statute.

- Handles a variety of federal and state court litigation and appellate matters for the Kentucky Bar Association and related entities and employees, e.g., *Deters v. Herrick*, 2020 Ky. Unpub. LEXIS 14 (Ky. 2020); *Mischler v. Bevin*, 2017 U.S. App. LEXIS 14319 (6th Cir. 2017)
- Represents the Kentucky Medical Association and American Medical Association in filing amicus curiae briefs in Kentucky Supreme Court, e.g., *Sneed v. Univ. of Louisville Hosp.*, 2020 LEXIS 131 (Ky. 2020), *Ashland Hosp. Corp. v. Lewis*, 581 S.W.3d 572 (Ky. 2019); *Commonwealth v. Claycomb*, 566 S.W.3d 202 (Ky. 2018)
- Obtained dismissal of the majority of claims for defamation against the *Washington Post*. *Sandmann v. WP Co. LLC*, 401 F.Supp. 3d 781 (W.D. Ky. 2019)
- Obtained summary judgment, which was upheld on appeal, in insurance coverage dispute due to admissions during discovery, *Continental Refining Co., LLC v. Hartford Steam Boiler Insp. & Ins. Co.*, 769 Fed. Appx. 255 (6th Cir. 2019)
- Handled appeals from summary judgments, obtaining affirmances in Kentucky Court of Appeals and convincing Kentucky Supreme Court to deny discretionary review, e.g. *Kotevska v. Fenton*, 2019 Ky. App. Unpub. LEXIS 173 (Ky. App. 2019); *Oram v. Cantley*, 2019 Ky. App. Unpub. LEXIS 135 (Ky. App. 2019); *Doe v. Golden & Walters, PLLC*, 2019 Ky. App. Unpub. LEXIS 635 (Ky App. 2019)
- Obtained affirmance of summary judgment on customer’s claims of breach of contract and breach of the covenant of fair dealing, *KSA Enterprises v. Branch Banking & Trust Co.*, 761 Fed. Appx. 456 (6th Cir. 2019)
- Convinced Court of Appeals to uphold large compensatory award for client injured by accounting firm’s fraudulent misrepresentations and omissions and convinced Kentucky Supreme Court to accept review and reinstate entirety of punitive damage award, *Yung v. Grant Thornton*, 563 S.W.3d 22 (Ky. 2018)
- Obtained affirmance of FAA’s Record of Decision on Regional Airport Authority’s implementation of a safety plan, *Kaufmann v. FAA*, 722 Fed. Appx. 470 (6th Cir. 2018)
- Convinced the Kentucky Supreme Court to retain traditional classification of land entrants for purpose of defining the duty owed to them, *Smith v. Smith*, 563 S.W.3d 202 (Ky. 2018)
- Obtained reversal of injunctive relief relating to bourbon distilling process, *Brown-Forman Corp. v. Miller*, 528 S.W.3d 12 (Ky. 2017)

BAR ADMISSIONS

- Kentucky
- U.S. Court of Appeals for the 4th Circuit

- U.S. Court of Appeals for the 6th Circuit
- U.S. Court of Appeals for the 7th Circuit
- U.S. Court of Appeals for the 8th Circuit
- U.S. Court of Appeals for the 9th Circuit
- U.S. Court of Appeals for the 11th Circuit
- U.S. Court of Appeals for the Federal Circuit
- U.S. District Court for the Eastern District of Kentucky
- U.S. District Court for the Western District of Kentucky
- U.S. Supreme Court

RECENT NEWS, ARTICLES & SPEAKING ENGAGEMENTS

- 20 People to Know in Law: Beth Breetz
  by David A. Mann, Managing Editor, *Louisville Business First*, November 18, 2024
- US Chamber Urges 6th Circ. To Ax FirstEnergy Class Cert.
  By Katryna Perera, Law360.com, February 20, 2024 *,with Marjorie A. Farris, Chadwick A. McTighe, Michael D. Risley and Sarah Cronan Spurlock*
- Warning! Danger Ahead When Citing Unpublished or Non-Final Opinions
  co-author with Jamie Neal, Bench & Bar Magazine, Kentucky Bar Association, March/April 2023
- The New Rules of Appellate Procedure are Here: What Kentucky Appellate Practitioners Need to Know
  Bench & Bar Magazine, Kentucky Bar Association, March/April 2023 *,with Zachary M. VanVactor*
- Kentucky's Appellate Rules: A Panel Discussion on the Significant Changes Ahead
  panel member, 2022 Kentucky Bar Association Annual Conventions, June 15, 2022
- The Court of Appeals is Speaking - Are We Listening?
  Louisville Bar Briefs, January 2021 *,with Alisa Micu and Michael D. Risley*
- 4th Circ. Says ‘Unfair’ Va. Law Forces It To Nix Black Lung Suit
  ,with Carol Dan Browning and Whitney Frazier Watt By Sarah Jarvis, Law360, November 9, 2020
- Refinery's Blast Coverage Claim Blown Up by Own Expert
  by Jeff Sistrunk, Law360, May 3, 2019 *,with Whitney Frazier Watt*
- Kentucky High Court Restores $80M Punitive Damages Against Firm
  Law360, December 13, 2018 *,with Matthew W. Breetz and Michael D. Risley*
- Kentucky Supreme Court Declines to Recognize New Tort of "Negligent Credentialing"
  Medical News, November 8, 2017 *,with Sarah Cronan Spurlock*

- Kentucky Supreme Court vacates $2.5 million punitive damages verdict
  Stites & Harbison, PLLC, Client Alert, October 14, 2015
- Timelines and Tips for Practicing in Kentucky Appellate Courts
  Co-Author, presented by the Kentucky Bar Association at Continuing Legal Education seminars throughout Kentucky
- 50-State Survey of Privacy and Related Law
  Kentucky Chapter, Media Law Resource Center (2002-2014)

FIRM LEADERSHIP

- Office of General Counsel, Ethics Subcommittee, Chair
- Appellate Advocacy Group, Co-Chair

MEMBERSHIPS

- American Bar Association
- Kentucky Bar Association
- Louisville Bar Association
- Kentucky Supreme Court, Civil Rules Committee,
  - Appellate Rules Subcommittee, Chair

COMMUNITY INVOLVEMENT

- Legal Aid Society, volunteer attorney
- The Center for Women and Families, volunteer attorney

EDUCATION

- University of Michigan Law School J.D., *cum laude* 1993
- University of Chicago B.A., with Honors, Economics, 1985

MORE THAN STITES & HARBISON

Ms. Breetz is the chair of the Appellate Rules Subcommittee of the Kentucky Supreme Court's Civil Rules Committee, a position she has held since the Appellate Rules Subcommittee was created by the Kentucky Supreme Court in 2011. She is also a member of the Civil Rules Committee. Ms. Breetz was elected as the first chair of the Kentucky Bar Association's Appellate Advocacy Section when that section was established by the Kentucky Supreme Court in 2007, and she has been active in that section since that time. She is a past chair of the Louisville Bar Association's Appellate Section. Ms. Breetz serves as a volunteer attorney for clients of the Legal Aid Society and The Center for Women and Families in Louisville. She also serves as a volunteer with Fern Creek-Highview United Ministries, a not-for-profit social service agency. In addition, Beth is a long-time supporter of the arts in Louisville. For three and a half years after law school, Ms. Breetz served as law clerk to the Honorable Charles Leibson and then to the Honorable Nicholas King, both of the Kentucky Supreme Court.

ACCOLADES

- *Best Lawyers in America*®, Appellate Practice (2009-27)
- *Best Lawyers in America*®, Louisville Areas Lawyer of the Year for Appellate Practice (2014)
- *Kentucky Super Lawyers*® (2015-26)
- *Kentucky Super Lawyers*®, Top 25 Women Lawyers in Kentucky (2026)
- *Benchmark Litigation* magazine, Litigation Star (2015-16, 2026)
- *Legal500*, US City Elite, Kentucky Elite, Commercial Disputes (2026)
- *Forbes*, America's Best-in-State Lawyers, Appellate Law (2025)
- *Business First of Louisville*, 20 People to Know in Law (2024)
- *Louisville Magazine*, Top Lawyers for Appellate Law (2013-16)